

*(Counsel of record on next page)*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RODRIGO RAQUEDAN *et al.*,

No. 5:17-cv-03828-LHK

**Plaintiffs,**

**OBJECTION TO AND REQUEST TO STRIKE  
RENEE MARQUEZ'S UNTIMELY REPLY IN  
SUPPORT OF MOTION TO INTERVENE  
(ECF 140)**

CENTERPLATE OF DELAWARE, INC.,  
*et al.*,

## Defendants.

**OBJECTION TO AND REQUEST TO STRIKE  
NTIMELY REPLY ISO MOTION TO INTERVENE  
U.S.D.C., N.D. Cal., No. 5:17-cv-03828-LHK**

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28 Centerplate of Delaware, Inc.

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OBJECTION TO AND REQUEST TO STRIKE  
UNTIMELY REPLY ISO MOTION TO INTERVENE  
U.S.D.C., N.D. Cal., No. 5:17-cv-03828-LHK

1 Plaintiffs Rodrigo Raquedan, Monique Raquedan and Ronald Martinez (“Plaintiffs”) and  
 2 defendant Centerplate of Delaware, Inc. (“Centerplate”), hereby object to the untimely reply filed by  
 3 proposed plaintiff and intervenor Renee Marquez (“Marquez”) in support of her motion to intervene on  
 4 March 21, 2019 (ECF 140) and request that the reply be stricken. In support of their objection and  
 5 request to strike, Plaintiffs and Centerplate show the following:

6 1. On November 27, 2018, Marquez filed her motion to intervene in this action (ECF 106).  
 7 When the motion was filed, the Clerk published the following as part of the docket entry:

8 MOTION to Intervene filed by Renee Marquez. Motion Hearing set for 1/3/2019 09:00  
 9 AM in San Jose, Courtroom 8, 4th Floor before Judge Lucy H. Koh. Responses due by  
 12/20/2018. Replies due by 12/27/2018.

10 2. On November 28, 2018, the Court *sua sponte* rescheduled the hearing on the motion to  
 11 March 14, 2019. (ECF 107.) At the time, the Court did not extend the deadlines for the opposition to  
 12 the motion and the reply in support of the motion.

13 3. Plaintiffs timely filed their opposition to the motion on December 11, 2018 (ECF 117)  
 14 and Centerplate timely filed its opposition to the motion on December 20, 2018 (ECF 121). Marquez  
 15 did not file a reply in support of the motion by the December 27, 2018 deadline set by the Court.

16 4. On February 8, 2019, the Court, acting on the stipulation of all parties, including  
 17 Marquez, continued the hearing on the motion to April 4, 2019. (ECF 131.) At the time, Marquez did  
 18 not ask for, and the Court did not order, an extension of time for Marquez’s reply in support of the  
 19 motion, pursuant to the Court’s Local Rule L.R. 6-1 or otherwise.

20 5. Accordingly, Marquez’s reply in support of the motion, filed on March 21, 2019, without  
 21 leave of Court for good cause shown, is untimely and should be stricken.

22 Pursuant to L.R. 5-1(i)(3), I, Jeffrey D. Wohl, attest that all other signatories listed concur in the  
 23 filing’s content and have authorized the filing.

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 UNTIMELY REPLY ISO MOTION TO INTERVENE  
 U.S.D.C., N.D. Cal., No. 5:17-cv-03828-LHK

1 Dated: March 26, 2019.

SHAUN SETAREH  
THOMAS SEGAL  
FARRAH GRANT  
ASHLEY N. BATISTE  
SETAREH LAW GROUP

7 Dated: March 26, 2019.

JEFFREY D. WOHL  
ZINA DELDAR  
JANA B. FITZGERALD  
PAUL HASTINGS LLP

10 By: /s/ Shaun Setareh

5 Attorneys for Plaintiffs Rodrigo Raquedan,  
6 Monique Raquedan and  
7 Ronald Martinez

10 By: /s/ Jeffrey D. Wohl

11 Attorneys for Defendant  
12 Centerplate of Delaware, Inc.